

## U.S. EPA Announces National Enforcement Initiatives

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In February 2016, the U.S. Environmental Protection Agency announced its National Enforcement Initiatives (NEIs) for fiscal years 2017 through 2019. The announcement added two new enforcement initiatives and expanded one existing initiative.

The first new enforcement initiative, “Reducing Risks of Accidental Releases at Industrial and Chemical Facilities,” focuses on reducing the risk of catastrophic accidents at facilities that make, use, and store extremely hazardous substances. This new enforcement initiative dovetails with U.S. EPA’s proposed revisions to the Risk Management Rule under the Clean Air Act, which was published in the *Federal Register* on March 14, 2016.

With the second new enforcement initiative, “Keeping Industrial Pollutants Out of the Nation’s Waters,” U.S. EPA will focus on wastewater discharges from chemical and metal manufacturing, mining, and food processing facilities. U.S. EPA’s enforcement priorities will be driven by data submitted pursuant to Clean Water Act discharge permits and other sources.

U.S. EPA has expanded its existing initiative “Cutting Hazardous Air Pollutants” to include air emissions from large product storage tanks and hazardous waste generator and treatment, storage, and disposal facilities. U.S. EPA will focus on violations of leak detection and repair requirements for product storage tanks, hazardous waste tanks, surface impoundments, and containers, as well as from related hazardous waste treatment equipment.

The Agency also announced continuation of four prior enforcement initiatives—“Reducing Air Pollution from the Largest Sources,” “Ensuring Energy Extraction Activities Comply with Environmental Laws,” “Keeping Raw Sewage and Contaminated Stormwater Out of Our Nation’s Waters,” and “Preventing Animal Waste from Contaminating Surface and Ground Water”—and the conclusion of its initiative for “Reducing Pollution from Mineral Processing Operations” in fiscal year 2017.

EPA intends to utilize Next Generation Compliance strategies in implementing the NEIs. Regulated industries affected by the NEIs, including the energy, mining, chemical, manufacturing, food processing, and agricultural sectors, should anticipate increased enforcement in these areas.

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